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Attorney for Plaintiff, JOSHUA ASSIFF

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

JOSHUA ASSIFF,

Plaintiff,

v.

**COUNTY OF LOS ANGELES;
SHERIFF DEPUTY BADGE
NUMBER 404532;
And DOES 1 through 10,**

Defendants.

Case No. 2:22-cv-05367 RGK (MAAx)

**DECLARATION OF JOSHUA ASSIFF
IN OPPOSITION TO MOTION FOR
PARTIAL SUMMARY JUDGMENT**

DATE: June 26, 2023
TIME: 9:00 a.m.
COURTROOM: 850

Action Filed: August 3, 2022
Pretrial Conference: July 10, 2023
Trial Date: July 25, 2023

Assigned to: Hon. R. Gary Klausner,
District Judge, Courtroom 850

I, JOSHUA ASSIFF, hereby declare as follows:

1. I am the Plaintiff in this action and have personal knowledge of all of the facts set forth in this declaration, and if given the opportunity, I can and will competently testify as follows:

1 2. On or about September 24, 2021, I was a 21-year-old black male. At
2 the intersection Soledad Canyon Road and Sierra Highway, I made a legal right
3 hand turn on a green light. There were no pedestrians in the crosswalk.

4 3. Although I had done nothing wrong, I was pulled over and
5 subsequently pepper sprayed, beaten, tased, and arrested by a male Caucasian
6 motorcycle officer ("Defendant Kelly").

7 4. At the time I was pulled over, it was approximate 7:50 a.m. in the
8 morning. I am a college athlete, and I was on my way to basketball practice.

9 5. The incident that is the subject matter of this lawsuit happened while I
10 was traveling to the Antelope Valley. However, it occurred in Santa Clarita, in a
11 northern part of the County, but just one Sheriff's Department station adjacent to
12 but south of the actual Antelope Valley.

13 6. At the time I was pulled over, my vehicle did not smell of marijuana. I
14 had not smoked marijuana that morning. There was no marijuana in the vehicle,
15 and I had never smoke marijuana in my vehicle. Any assertion that my car smelled
16 of marijuana would be a complete fabrication.

17 7. At no time during the entire incident did I ever kick or punch
18 Defendant Kelly. At no time during the entire incident did I ever kick or punch
19 Deputy Clark. At no time during the entire incident did I ever kick or punch
20 Deputy Gallegos.

21 I declare under penalty of perjury under the laws of the United States of
22 America and the State of California that the foregoing is true and correct.

23 Executed this 5th day of June, 2023 in Los Angeles County, California.

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/s/ Joshua Assiff

JOSHUA ASSIFF

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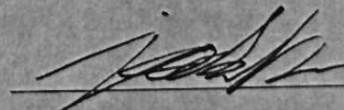
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